HIT SHOOTING
ADMINISTRATIVE REVIEW

COUNTY OF LOS ANGELES
SHERIFF"S DEPARTMENT

HIT SHOOTING
EVALUATION

UNIT: Carson Station Personnel
DATE: March 31, 2004 (Wednesday)
TIME: 0925 hours
LOCATION: Normandie Avenue, north of Torrance Boulevard
URN#: 004-04611-1694-051
IAB#: SH2114924, **cross referenced SH2114929**

NATURE OF
INCIDENT: The following summary is based on verbal and written statements from the involved deputy and witnesses' statements.

On March 31, 2004, at about 0913 hours, Carson Station desk personnel received a telephone call from an informant, [redacted] reporting that her [redacted] Salvador Mosqueda, was going to his [redacted]s house intent to die. [redacted] advised desk personnel of the location her [redacted] was headed toward and that he was armed with a gun. She gave a description of her [redacted] vehicle, 1992 Honda CA license [redacted] and a call was dispatched to Carson Units. Carson Motor Deputy Jeff Greene, who had monitored the radio call, started to head in the direction of the [redacted] house, from the area of Main Street and Del Amo Boulevard. Deputy Greene observed Mosqueda's vehicle drive westbound past Deputy Greene on 213th Street. Deputy Greene advised Carson units of the vehicle and he made an U-turn, following the vehicle from a distance until assisting units could move into position behind the suspect vehicle. Once assisting units moved in behind the suspect vehicle, Deputy Greene stayed back because he was riding a motorcycle unit. Deputy Kevin Berger, 167/Days, monitored that Deputy Greene was following the suspect vehicle and moved in position behind the suspect vehicle. Deputy Perea moved in behind Deputy Berger's vehicle and Deputy Berger advised S.C.C that he was "Code 9", a tactical preplanning stage before a potential pursuit. Once assisting units fell in behind, Deputy Berger attempted to pull over the suspect vehicle by activating his red emergency lights and siren but, the suspect refused and he advised S.C.C. that he was in pursuit of the suspect vehicle. After a short pursuit, the suspect and several deputies ended up on Normandie Avenue, just north of Torrance Boulevard, where the suspect made a U-turn, stopped and pointed an assault rifle at the deputies.

Deputy Berger stopped behind the suspect vehicle, saw the suspect start to exit the vehicle and point a rifle in the direction of Deputy Perea, who was arriving from the south on Normandie Avenue. Deputy Berger fired two rounds at the suspect, through his patrol car's windshield. Deputy Berger exited his radio car and took up a position to the rear of his vehicle and continued to fire his weapon, unloading it and reloading with a fresh magazine. Deputy

Perea, involved in the pursuit, turned northbound onto Normandie Avenue, from Torrance Boulevard, saw the suspect point a rifle directly at him and fearing for his life he exited the radio car to take up a position of cover. As he exited his radio car, the vehicle suddenly began to roll away from him (he apparently left it in drive). Believing he was left in the open, he began to fire and ran toward Sergeant Johnson's vehicle, who had arrived behind Perea. Deputy Perea continued to fire, emptying two magazines of ammo at the suspect and took up a position of cover behind Sergeant Johnson's vehicle. He saw that other deputies were shooting at the suspect and he eventually ran out of ammunition. He asked Sergeant Johnson for additional rounds and Johnson replied that he was carrying a .45 caliber pistol and could not give him any 9mm rounds. Deputy Perea yelled to Deputies Rennie and Hernandez that he was out of bullets and needed additional ammunition.

Deputies Rennie and Hernandez were the third car in the pursuit and when the suspect made the U-turn on Normandie Avenue, Deputy Rennie saw Deputy Perea pull over on the eastside of Normandie Avenue and Rennie drove past him. Deputy Rennie pulled in offset to the left and behind Deputy Berger's vehicle. Rennie took a position at the driver's door and saw that he had an unobstructed shot at the suspect. Deputy Rennie fired sixteen rounds from his duty weapon, reloaded and fired rounds from another magazine. Deputy Hernandez, removed the shotgun from their vehicle and took up a position at Deputy Berger's passenger door. Hernandez saw the bullet holes in Deputy Berger's windshield and heard gunshots. He saw the barrel of the suspect's rifle protruding out of the driver's side window and believed the suspect was shooting at him. Hernandez fired four rounds from the shotgun and fired between seven and ten rounds from his weapon at the suspect. Sergeant Johnson saw the suspect point the rifle at Deputy Perea and his direction, heard gunshots and believed the suspect was firing at him. Johnson fired four rounds at the suspect, saw him slump and believed the threat was over. He ordered the deputies to cease fire. Deputy Rennie went to the trunk of his vehicle and retrieved two magazines of ammo, one for him and another for Deputy Perea.

As soon as the gunfire stopped, Deputy Perea and Sergeant Johnson heard gunfire coming from their southeast. They believed there were an additional suspect or suspects firing at them. He heard radio traffic from the airship overhead and from a patrol unit that there was someone on the roof of the liquor store to their east. Believing they were in an ambush situation, Sergeant Johnson and Deputy Perea got into Johnson's vehicle and drove up behind Deputies' Rennie and Hernandez' vehicle. Sergeant Johnson removed the AR-15 rifle from his vehicle and took a position to cover the roof of [redacted]

Once the gunfire from the southeast stopped, Deputy Greene advised the units that the people on the roof of [redacted] were workers and not snipers (**refer to related Shooting Incident Review, #SH2114929**). Deputies Rennie, Berger, Hernandez and Perea cleared the suspect vehicle; They saw that the suspect was bleeding profusely. Rennie removed the suspect's rifle from his lap and tried to pull the suspect out from behind the steering wheel. He was unable to do so due to the suspect's weight. Paramedics were summoned and the suspect was pronounced dead at the scene.

Internal Affairs Bureau was notified at 0955 hours and Sergeants Henry Reyes and Larry Landreth, along with Lieutenant Ben Seno, of the Internal Affairs Bureau responded to the command post at Normandie Avenue and Milton Street, in the unincorporated area of Torrance, CA., regarding a deputy involved hit shooting. When we arrived, Homicide Bureau personnel were at the scene investigating the incident. The Suspect, Salvador Mosqueda, from the first shooting (SH2114924) was deceased and remained in the street near his vehicle. Internal Affairs Bureau learned there had been in fact two separate deputy involved shootings at the time. The first being on Normandie Avenue, just north of Torrance Boulevard and a second hit-shooting, (**SH2114929**), location occurring at the [redacted] Normandie Avenue, just southeast of the first location.

On April 11, 2005, Deputy District Attorney Edward A. Miller issued a Letter of Opinion concerning the deputy involved shooting involving Suspect Mosqueda was justifiable given the circumstances.

INVOLVED PERSONNEL:

BERGER, KEVIN, Deputy Sheriff [redacted]
Lomita Station, Field Operation Region II

EMPLOYEE WORK HISTORY:

Date of Employment:	08-16-1991
Date assigned to Patrol/Custody:	[redacted]
Completed Patrol/Custody Training:	
Prior Shooting Incident(s):	[redacted]
Prior Founded Force Incidents:	

PEREA, MICHAEL, Deputy Sheriff [redacted]
Carson Station, Field Operation Region II

EMPLOYEE WORK HISTORY:

Date of Employment:	09-30-1996
Date assigned to Patrol/Custody:	[redacted]
Completed Patrol/Custody Training:	
Prior Shooting Incidents:	[redacted]
Prior Founded Force Incidents:	

RENNIE, MARK C., Deputy Sheriff [redacted]
Carson Station, Field Operation Region II

EMPLOYEE WORK HISTORY:

Date of Employment: 07-19-1995
Date assigned to Patrol/Custody: [redacted]
Completed Patrol/Custody Training:
Prior Shooting Incidents:

HERNANDEZ, ARMANDO R., Deputy Sheriff [redacted]
Carson Station, Field Operation Region II

EMPLOYEE WORK HISTORY:

Date of Employment: 02-28-1993
Date assigned to Patrol/Custody: [redacted]
Completed Patrol/Custody Training:
Prior Shooting Incidents:
Prior Founded Force Incidents:

JOHNSON, DALE JR., Sergeant [redacted]
Carson Station, Field Operation Region II

EMPLOYEE WORK HISTORY:

Date of Employment: 11-03-1978
Date assigned to Patrol/Custody: [redacted]
Completed Patrol/Custody Training:
Prior Shooting Incidents:
Prior Founded Force Incidents:

SUSPECT(S):

MOSQUEDA, Salvador Andres , MH/31 yrs. DOB: 04-29-1972, 5-08", 220 lbs., brown/brown
[redacted]
Booking # N/A **C.I.I.** [redacted] **Main** [redacted] **FBI** [redacted] **CD**[redacted]

Mosqueda's criminal history [redacted]

CIVILIAN WITNESSES:

1. [redacted]

2. [redacted]
3. [redacted]

DEPARTMENT WITNESSES:

1. Greene, Jeffrey, Deputy Sheriff # [redacted]
2. Luther, Michael, Deputy Sheriff # [redacted]
3. Morris, Patrick, Deputy Sheriff # [redacted]
4. Norville, James R., Deputy Sheriff # [redacted]

INJURIES:

Suspect

Suspect Mosqueda sustained eleven (11) gunshot wounds and two (2) shotgun wounds to the body. Three (3) of the wounds were classified as fatal by the Coroner's Office. Those wounds were to the back of the head, right back, and left neck.

WEATHER AND LIGHTING CONDITIONS:

Daylight, clear, with little or no clouds.

WEAPONS USED BY SUSPECT(S):

SUSPECT Mosqueda was armed with a "Norinko Sporter" semiautomatic rifle (Category 3 Assault Weapon), serial number [redacted] with a wood stock and thumb hole. The rifle had a cylindrical magazine, loaded with 24 rounds of 7.63.39 caliber ammunition. The rifle had one (1) live 7.63.39 round loaded in the chamber and the rifle was operable.

WEAPON(S) USED BY DEPUTY PERSONNEL:

DEPUTY KEVIN BERGER

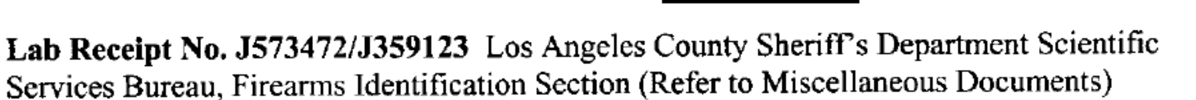
Service Weapon- Beretta, 92F (Serial Number BER[redacted]Z), Double Action Semiautomatic Pistol, 9mm Luger

Type of Ammunition- Twelve Winchester Brand Ranger "T" 9 mm Luger live rounds were turned over to the Firearms Section.

Shell Casings- Thirty-four expended 9mm casings were recovered from Normandie Avenue, approximately the location that Deputy Berger reported firing from.

Date Employee Last Qualified: (Mobile Range) [redacted]

Date Last Trained With Weapon:



Lab Receipt No. J573472/J359123 Los Angeles County Sheriff's Department Scientific Services Bureau, Firearms Identification Section (Refer to Miscellaneous Documents)

DEPUTY MICHAEL PEREA

Service Weapon- Beretta, 92F (Serial Number BER[redacted]Z), Double Action Semi automatic Pistol, 9mm Luger

Type Of Ammunition- Winchester Brand Ranger "T", 9 mm Luger cartridges.
Ammunition- twenty-five to thirty rounds fired and one left in the magazine
Shell Casings- a total of 22 shell casings were recovered from Normandie Avenue, in the general area of where Deputy Perea reported he fired from.
Date Employee Last Qualified: (Mobile Range) [redacted]
Date Last Trained With Weapon:

Lab Receipt No. J359124 Los Angeles County Sheriff's Department Scientific Services Bureau, Firearms Identification Section (Refer to Miscellaneous Documents)

DEPUTY MARK RENNIE
Service Weapon- Beretta, 92F (Serial Number BER[redacted]Z), Double Action Semi automatic Pistol, 9mm Luger
Type of Ammunition- Winchester Brand Ranger "T", 9 mm Luger cartridges.
Ammunition- thirty rounds fired
Shell Casings- a total of 29 Winchester Ranger "T" shell casings were recovered from Normandie Avenue, in the general area of where Deputy Rennie reported he fired from.
Date Employee Last Qualified: (Mobile Range) [redacted]
Date Last Trained With Weapon:

Lab Receipt No. J563300 Los Angeles County Sheriff's Department Scientific Services Bureau, Firearms Identification Section (Refer to Miscellaneous Documents)

DEPUTY ARMANDO HERNANDEZ
Service Weapon- Beretta, 92F (Serial Number BER[redacted]Z), Double Action Semi automatic Pistol, 9mm Luger
Type of Ammunition- Winchester Brand Ranger "T", 9 mm Luger cartridges and Federal 12 ga. Shotgun rounds.
Ammunition- seven rounds fired from one magazine
Shell Casings- a total of 29 Winchester Ranger "T" shell casings and four shotgun rounds were recovered from Normandie Avenue, in the approximate area where Deputy Hernandez reported firing from.
Department Shotgun - "Ithaca" 12 gauge, Serial #[redacted] unloaded.
Date Employee Last Qualified: (Mobile Range) [redacted] **PDC (shotgun)** [redacted]
Date Last Trained With Weapon: (9mm) **Shotgun**

Lab Receipt No. J563301 Los Angeles County Sheriff's Department Scientific Services Bureau, Firearms Identification Section (Refer to Miscellaneous Documents)

SERGEANT DALE JOHNSON
Service Weapon Heckler & Koch, Model USP, (Serial Number[redacted]), Double Action Semi automatic Pistol, .45 caliber
Type of Ammunition- Winchester Brand 230H-P, .45 caliber cartridges.
Ammunition- Four rounds fired and nine left in the magazine and chamber.

Shell Casings- a total of Four .45 caliber rounds were located on Normandie Avenue, in the general area of where Sergeant Johnson reported he fired from. See Exhibit A, pages 62 and 63.
Date Employee Last Qualified: (Mobile Range) [redacted]
Date Last Trained With Weapon:

Lab Receipt No. J563304 Los Angeles County Sheriff's Department Scientific Services Bureau, Firearms Identification Section (Refer to Miscellaneous Documents)

INVOLVED DEPUTY(S) STATEMENTS:

BERGER, Kevin, Deputy Sheriff # [redacted]
Deputy Berger was interviewed by Homicide Bureau detectives on 03-31-2004 and by Internal Affairs Bureau Investigators Sergeant Larry Landreth and Sergeant David Stunson on August 7, 2005.

IAB Note: For Homicide Bureau's summary of Deputy Berger's statement refer to Exhibit A, pages 135-138.

Deputy Berger was represented by Mr. Greg Emerson, legal counsel for LASPA. The interview was recorded and the following is a synopsis of the interview: Deputy Berger said he was inside Carson Sheriffs Station [redacted] when he heard a radio call assigned to Deputy Perea, Unit #168. He said the call was a "person with a gun" call at [redacted] He said that the call was in the area he works and the call was reassigned to him.

Deputy Berger told Investigators he and Sergeant Johnson, [redacted] Unit #160S, left Carson Sheriffs Station together and started driving to the call. He said while driving to the location, the information in the call stated that the informant was the suspect's [redacted] The suspect was armed with a shotgun and the suspect was driving to his [redacted] house to kill himself or his [redacted] The call also stated that the suspect was driving a 1992 Honda. Deputy Berger told Investigators while en route to the call, he requested his assisting units to check the area for the suspect vehicle.

Deputy Berger told Investigators a short time later, Deputy Greene, [redacted] Unit #160M, advised via Sheriffs radio that he had located the suspect vehicle at 213th Street and Bolsa Street. Berger said he started driving to that location when the suspect drove past him northbound on Bolsa Street. Deputy Berger said he made an U-turn and began following the suspect vehicle. He said he was directly behind the suspect vehicle and there were other units following him. Deputy Berger advised via Sheriffs radio that he was Code 9 (surveillance mode) behind the suspect vehicle.

Deputy Berger stated that he attempted to stop the suspect vehicle by turning on his red lights and siren, but the suspect would not stop. Deputy Berger broadcast he was now in pursuit

Deputy Berger said when the suspect arrived at Normandie Avenue, he turned right, "smoking" the tires, and began to travel northbound on Normandie Avenue. Deputy Berger said they

traveled a short distance northbound on Normandie Avenue when the suspect suddenly made an U-turn and stopped near the west curb line facing southbound. Deputy Berger also said he made an U-turn and stopped behind the suspect vehicle.

Deputy Berger told Investigators when he stopped his car, he saw the barrel of an assault rifle protruding from the suspect vehicle's driver's door window pointed eastbound. He said he looked to the east of the suspect's vehicle and remembers seeing a radio car in the street. He told Investigators that he was afraid Suspect Mosqueda was going to shoot at the assisting deputies, so he fired two rounds from his 92F Beretta handgun through his front windshield while still seated in his radio car.

Deputy Berger said after he fired the two rounds, he exited his radio car and began to move to the rear (north) of his radio car. He said he was afraid that if the suspect had shot the deputy to the east, the suspect would then get out of his car and shoot at him (Berger). He said he knew he was "outgunned." Deputy Berger said as he moved to the rear of his radio car, he continued firing rounds at Suspect Mosqueda. He said when he arrived at the rear passenger side of his car, he reloaded his weapon.

IAB Note: Deputy Berger indicated his positioning on a diagram provided to him by IAB Investigators. Refer to the diagram located in the Miscellaneous Documents section of the case.

Deputy Berger said he was met at the rear of his radio car by Deputies Rennie, [redacted] and Hernandez, [redacted] Unit #169, and that he remembers hearing shots still being fired. He said he could see Suspect Mosqueda moving in the car from side to side and that he could also see the barrel of the rifle moving. He said he thought the suspect was still a threat to the deputies and yelled out that the suspect still had the gun and was moving, so he fired more rounds at the suspect until he heard Sergeant Johnson yell to stop firing.

Deputy Berger said a short time later, he heard additional gunshots southeast of his location, near the hamburger stand located on the northeast corner of Torrance Boulevard and Normandie Avenue **(A second deputy involved shooting, refer to IAB # SH2114929)**. He remembered hearing radio traffic about a possible "sniper" and thought that he and the other deputies might have been shot at. He said he, Deputies Perea, Rennie, and Hernandez took cover behind his radio car. He said after the shooting stopped, he heard Aero Bureau broadcast that there were two people proned out on top of a business southeast of their location.

Deputy Berger said he and Deputies Hernandez and Rennie discussed a plan to approach the suspect's vehicle and pull the suspect out of the line of fire from the other shooting. Deputy Berger said their plan was to protect the suspect from the other shooter. When they approached the vehicle, they saw that the suspect had suffered numerous bullet wounds. Berger said the suspect was still seated in the driver's seat, not moving, with the assault rifle on his lap. They pulled Suspect Mosqueda from the vehicle and placed him on the street behind his car in case there was more gunfire. He said the suspect appeared to be dead.

Deputy Berger told Investigators when he first saw Suspect Mosqueda point the assault rifle at the radio car across the street from tha suspect, a deputy was directly east of the suspect and he (Berger) thought Suspect Mosqueda was going to shoot the deputy. He said the barrel of the rifle was approximately 10 to 12 inches out the driver's window and that he could see the barrel "clear as day."

Deputy Berger was asked if he knew if the suspect ever fired his weapon. He stated he never saw rounds fired by the suspect. Deputy Berger reiterated that he fired his first two rounds through his windshield because he was afraid the suspect was going to shoot the deputy to the east of the suspect. He said he continued to shoot at Suspect Mosqueda as he moved to the rear of his radio car to neutralize the threat to the other deputies.

Deputy Berger said at one point he saw a radio car make a U-turn in front of the suspect vehicle. He said he did not know if a deputy was inside of the car and had possibly been shot by the suspect.

Deputy Berger said after the suspect was removed from the vehicle, he broadcast the "998" (deputy involved shooting) and requested paramedics respond to the location. He said he later learned that other deputies had also been involved in a shooting south of his location and that someone had been shot.

Deputy Berger said he received a small cut on his right hand when he pulled the suspect out of the vehicle. He said he was very scared during the entire incident. Berger said his backdrop was a clear shot south on Normandie Avenue with no houses in the way. He saw vehicles stopped in the northbound lanes of Normandie Avenue at Torrance Boulevard but did not see any vehicles in the southbound lanes. Deputy Berger said he did not see any cross traffic on Torrance Boulevard. Berger said he reassessed his target after he either fired the first magazine or when he was into the second magazine. He said that after the rear window was shot out by the shotgun rounds, he could see the suspect seated and still holding the rifle. Berger said he saw Deputy Perea's vehicle move in front of his line of sight and he moved placing Perea's vehicle out of his line of sight. He said that he believes he fired 20 to 24 rounds from three magazines. He reported exchanging the second magazine for a third when he believed he had a malfunction. He placed the second magazine back in his magazine pouch.

PEREA, Michael, Deputy Sheriff # [redacted]

Deputy Perea was interviewed by Homicide Bureau detectives on 03-31-2004 and again by Internal Affairs Bureau Investigators Sergeant Larry Landreth and Sergeant David Stunson on September 20, 2005.

IAB Note: For Homicide Bureau's summary of Deputy Perea's statement refer to Exhibit A, pages 138-144.

Deputy Perea was represented by Mr. Mitchell Kander, Law Offices of Green & Shinee. The

interview was recorded and the following is a synopsis of the interview:

Deputy Perea said substantially the same as Deputy Berger concerning his involvement in the vehicle pursuit of Suspect Mosqueda. Deputy Perea added that when the suspect turned north on Normandie Avenue the suspect almost collided with southbound traffic and spun the wheels as he made that turn. Deputy Perea said as he turned northbound on Normandie Avenue, Deputies Rennie and Hernandez drove past him and caught up with Deputy Berger. Perea saw the suspect make an U-turn and stop his vehicle facing southbound on Normandie Avenue. Deputy Berger also made an U-turn and stopped behind the suspect vehicle.

Deputy Perea said he was moving between five and ten miles per hour with his gun on his lap and his driver's door open because he believed the suspect was either going to run from the vehicle or engage him (Perea) in gunfire. Deputy Perea said he saw Suspect Mosqueda reach toward the passenger seat, then turn toward him and point what he thought was a semiautomatic rifle with a large blue cylinder at him. Deputy Perea said the suspect pointed the gun directly at him through his open window.

Deputy Perea told Investigators when Suspect Mosqueda pointed the gun at him, he was "scared for his life." Perea said he jumped out of his radio car while it was still moving because he felt the suspect was going to shoot him and he did not want to be inside the car. Deputy Perea said as he jumped out of his radio car, he started shooting at Suspect Mosqueda with his service weapon because he was sure the suspect was going to kill him. He said he forgot to put the car in "park" and his radio car continued making an U-turn in front of the suspect vehicle and hit a telephone pole on the west side of Normandie Avenue. Deputy Perea estimated he fired sixteen rounds from a distance of between thirty and forty feet. He was aware of his back drop and where Deputy Berger was and he believed he was not in any position to be in a cross fire situation. He said his back drop was railroad track, a field, and large buildings. **(Refer to photographs in Exhibit D)**.

Deputy Perea said he continued to shoot at Suspect Mosqueda and reloaded his weapon two times. Perea said his intention was to pin the suspect down inside of his vehicle to allow Perea to retreat behind his car. He said he saw Sergeant Johnson parked in the street south of his car and that he ran to that car for cover as he continued to shoot at Suspect Mosqueda. Perea said he lost his radio and an additional set of car keys while retreating toward Sergeant Johnson's vehicle. He entered Johnson's vehicle on the driver's side and noticed that Johnson had retreated to the passenger side. Perea said the suspect was still pointing the gun at him and moving back and forth. Deputy Perea reassessed his target and thought, "slow down and pick up my sights" because of the number of rounds that had been fired did not seem to be doing anything. Perea said he attempted to concentrate and aim his shots at the suspect's head because his first rounds were ineffective. He said he realized that the deputies who were parked behind the suspect vehicle were also shooting at the suspect. Deputy Perea said he believed the suspect was shooting at the deputies because he saw the bullet holes in Deputy Berger's windshield and there was a large amount of smoke in the air.

IAB Note: Deputy Perea indicated his positioning on a diagram provided to him by IAB Investigators. Refer to the diagram located in Exhibit E.

Deputy Perea said he asked Sergeant Johnson if he had any extra ammunition with him and Sergeant Johnson yelled to him that he was shooting a .45 caliber handgun. Deputy Perea said he believes Sergeant Johnson told all of the deputies to stop shooting. He said he looked at Suspect Mosqueda and noticed that his head was "slouching" over, with the gun still sticking out the driver's window. Deputy Perea estimated he fired between twenty-two and twenty-three rounds.

Deputy Perea said within seconds he heard gunshots south of him, possibly from the [redacted] hamburger stand located on the northeast corner of Torrance Boulevard and Normandie Avenue. He said he heard radio traffic, possibly from Aero Bureau, that there was a possible sniper on top of the hamburger stand. He said he told Sergeant Johnson they were in a dangerous area and should move. He said Sergeant Johnson entered on the passenger's side and they drove north, made an U-turn, and stopped behind Deputies Hernandez and Rennie's radio car.

Deputy Perea said Deputy Rennie gave him an extra magazine and that he reloaded his weapon. He said he and the other deputies discussed "clearing the suspect's vehicle," but felt it was unsafe because of the shots fired from the hamburger stand, nearby, referring to the second deputy involved shooting that occurred **(refer to SH2114929).** He said radio communication was very poor at this time and he did not have a radio because he lost it at his original shooting location. He said that someone advised the deputies at the hamburger stand and told them to standby on ordering anyone off of the roof until they had secured the first shooting scene.

Deputy Perea's account of how they cleared the suspect's vehicle was substantially the same as the other deputies. A short time after they cleared the suspect vehicle, Perea said he learned there was no longer a threat to the deputies at the hamburger stand.

Deputy Perea said Aero Bureau was above them during the incident but that he could not hear their radio broadcast because he had lost his radio.

Investigators asked Deputy Perea if he heard anyone broadcast that their might be snipers shooting at the deputies. He said when he was standing near Sergeant Johnson's car, he heard a radio broadcast that there were possibly snipers on top of the hamburger stand. He said that may have come from Aero Bureau. Perea said he heard Deputy Green radio that the people on the roof were roofers. Perea said that when he was on training at Carson Station, his training officer discussed that "T-Flats" were very aggressive and would not hesitate to shoot at deputy sheriffs' Perea was told to always be aware of his surroundings and avenues of escape when in T-Flats gang area. He said he has observed gang grafitti in the area making reference to killing deputy sheriffs.

IAB Note: A review of radio traffic from Aero Bureau revealedthey did not transmit anything about snipers on the roof.

RENNIE, Mark, Deputy Sheriff, [redacted]
Deputy Rennie was interviewed by Homicide Bureau detectives on 03-31-2004 and again by Internal Affairs Bureau Investigators Sergeant Larry Landreth and Sergeant David Stunson on September 20, 2005.

> **IAB Note: For Homicide Bureau's summary of Deputy Rennie's statement refer to Exhibit A, pages 141-144.**

Deputy Rennie was represented by Mr. Mitchell Kander, of the Law Firm Green & Shinee. The interview was recorded and the following is a synopsis of the interview:

Deputy Rennie said he assigned as unit 169, a two-man unit, and that his partner was Deputy Armando Hernandez, [redacted] Deputy Rennie told Investigators he was the driver and Deputy Hernandez was the bookman when he heard a radio call of a man with a shotgun en route to his [redacted] house located on [redacted] between Carson Street and 213th Street. Deputy Rennie's account of the vehicle pursuit was the same as Deputy Berger and Perea's account. Deputy Rennie added the following:

Deputy Rennie told Investigators after he turned northbound on Normandie Avenue, he noticed that Deputy Perea had pulled to the right and stopped and that the suspect vehicle had made a U-turn, now facing southbound, and had stopped. Deputy Rennie said as he drove past the suspect, he noticed that Mosqueda's driver's door window was down and he said Suspect Mosqueda had what he described as an "agitated or angry" look on his face. Deputy Rennie said the suspect was motioning with his hand in a downward motion and he thought the suspect said "right here", meaning he may have a weapon.

Deputy Rennie said he made a U-turn and parked offset behind Deputy Berger's radio car. He said as he finished the U-turn, he saw the muzzle end of an assault rifle protruding out of the suspect's driver's door window pointing directly at Deputy Perea, who was east of the suspect in his radio car facing northbound. Deputy Rennie said at this point he believes he saw "puffs of smoke" and "muzzle flash" from the rifle and heard shots being fired. He said he told Deputy Hernandez that Suspect Mosqueda was shooting the weapon and that everything seemed like it was in "slow motion."

Deputy Rennie said he exited his radio car and could still see the suspect pointing the rifle out his window. He said he could not see Deputy Berger in front of him and had a clear shot at the suspect. He drew his Beretta service weapon, then fired a full magazine at Suspect Mosqueda. Deputy Rennie said the suspect was still pointing the rifle in Deputy Perea's direction. He said he loaded another magazine to his gun at this time and assessed his target, the suspect.

Deputy Rennie said he heard either Deputy Berger or Perea state the suspect was still moving. He said there were numerous bullet holes in the rear window of the suspect vehicle. Deputy Rennie told Investigators he was afraid that Suspect Mosqueda might be wearing body armor

because so many rounds had been fired at the suspect and he was still moving. He said he was afraid that the suspect would turn around in his seat and start shooting at him or the other deputies near him. Deputy Rennie said he fired another magazine at the suspect, then reloaded his weapon with a third magazine.

IAB Note: Deputy Rennie indicated his positioning on a diagram provided to him by IAB Investigators. Refer to the diagram located in Exhibit E.

Deputy Rennie said after he stopped shooting, he could see Sergeant Johnson and other deputies on the east side of Normandie Avenue putting their hands up and yelling to stop shooting. He said he reloaded his weapon with his third magazine, then went to the trunk of his radio and picked up another magazine of ammunition.

Rennie said he heard gunshots coming from the south of his location and took cover behind the suspect's vehicle **(refer to IAB # SH2114929)**. Deputy Rennie told Investigators Deputy Hernandez said he felt they had to clear the suspect's vehicle and pull him out of the line of fire from the shooting. He said Perea , Hernandez and he briefly discussed a plan to approach the suspect vehicle, pull the suspect from the vehicle and drag Mosqueda from the car, behind cover. Deputy Rennie said he approached the suspect vehicle on the driver's side when he heard the shots and felt they might have been shot at by a sniper. When he learned that the area south of them was secured, he opened the driver's door, and observed Suspect Mosqueda bleeding from numerous gunshot wounds. He said Deputy Perea removed the suspect's assault rifle from the vehicle. Deputy Rennie said he attempted to pull the suspect out of the vehicle but was having a difficult time because of the victim's weight. removed the suspect from his vehicle and placed him on the street at the rear of his (suspect's) vehicle. He asked Deputy Berger if paramedics had been requested and was told they had. He said the paramedics arrived five to ten minutes later.

Deputy Rennie said he believes he fired thirty-one or thirty-two rounds at Suspect Mosqueda. He said after he stopped shooting, approximately 30 seconds later he heard the gunshots southeast of his location. He said he is not sure if Aero Bureau was at the location during the shooting.

Deputy Rennie said he was scared at the time of the shooting. Rennie said he believed they were outgunned. He also stated again that he feared the suspect was wearing body armor because so many shots had been fired and the suspect continued to move back and forth.

IAB Note: The suspect was not wearing body armor.

Deputy Rennie said when he first saw the barrel of the assault rifle sticking out the driver's window, he could see six to eight inches of the weapon. He said he believed Suspect Mosquedo fired the weapon four to six times at Deputy Perea.

IAB Note: No rounds were fired by the suspect.

Deputy Rennie said he fired his rounds at Suspect Mosqueda from a distance of about thirty feet. He fired his first three or four rounds very quickly and then he made an attempt to slow down and obtain a sight picture. He made an attempt to assess his rounds after short bursts. He said he stopped firing momentarily when he saw Deputy Perea's vehicle make an U-turn in the street. He said he stopped and questioned why the patrol car was acting so strangely before determining that the car was not in his back drop. When he began to fire at the suspect again, he believed that his and the other deputy's rounds were ineffective because the suspect was seen moving through the shattered out rear window. Deputy Rennie said he believed the suspect wore body armor and tried to make his rounds count by becoming more deliberate and accurate.

HERNANDEZ, Armando, Deputy Sheriff, [redacted]
Deputy Hernandez was interviewed by Homicide Bureau detectives on 03-31-2004 and by Internal Affairs Bureau Investigators Sergeant Larry Landreth and Sergeant David Stunson on September 20, 2005.

IAB Note: For Homicide Bureau's summary of Deputy Hernandez' statement refer to Exhibit A, pages 144-146.

Deputy Hernandez was represented by Mr. Mitchell Kander from the law firm of Green and Shinee. The interview was recorded and the following is a synopsis:

Deputy Hernandez said he and his partner, Deputy Rennie, were working patrol in the Torrance county area, as 169A, and that Deputy Rennie was the driver and he was the bookman. Deputy Hernandez gave the same account of the events as Deputy Rennie, his partner, and added the following:

Deputy Hernandez said as they drove past the suspect vehicle, which was now facing southbound, stopped and parked near the west curb line, Suspect Mosqueda yelled something at them and pointed downward with his left hand. Deputy Hernandex said he felt very vulnerable and he ducked down as low as he could in the seat. Deputy Hernandez said as Deputy Rennie was making an U-turn to fall in behind Deputy Berger, he looked to his left at the suspect vehicle and could see the barrel of a rifle protruding out of the driver's side window.

Hernandez said he suddenly heard very loud gunshots and thought the suspect was firing his weapon. He said Deputy Rennie yelled that the suspect was shooting his weapon. He said he was afraid that his life or the other deputies' lives were in danger.

Deputy Hernandez said when Deputy Rennie stopped behind Deputy Berger's radio car, he was offset to the left. He said he exited his car with the shotgun and ran up to the passenger's side of Deputy Berger's radio car and saw two bullet holes in his (Berger's) front windshield. He said he could still hear gunfire, which sounded louder than a Beretta pistol, and could still see the suspect's rifle sticking out of the window of the car. Deputy Hernandez said he feared that Suspect Mosqueda was shooting at the deputies, so he fired two shots from his shotgun through the rear window of the suspect's vehicle at the driver's seat. The shotgun rounds allowed

Hernandez to partially see the suspect, who was still moving about in the car, and he could see the barrel of the suspect's rifle, which was moving to the right (west). He said he could hear additional gunshots and thought the suspect was still shooting. Hernandez said he saw a patrol car(Deputy Perea's) move into his line of fire and he watched as it left his back drop. He said when he saw the radio car, he yelled out "crossfire." He said that he did not see a deputy in the car and was afraid the deputy had been shot. Hernandez saw the suspect continue to move and heard numerous shots causing him to believe the suspect was not incapacitated and still shooting at them. Hernandez fired the last two shotgun rounds at the suspect.

Deputy Hernandez said he tried to fire the shotgun again and realized it was empty. Deputy Hernandez said he looked for a soft area to throw the shotgun down, an action, [redacted] Hernandez threw the shotgun down onto a grassy area on the west curb line of Normandie Avenue, retrieved his Beretta service weapon and looked at the suspect to reassess his target. The suspect was still moving and the rifle barrel was still visible. Hernandez fired seven to eight rounds very quickly at the suspect because he still thought he was a threat to the deputies' lives. He said when he was shooting his Beretta at the suspect, he remembers there was a deputy to his left shooting his weapon and there was also a deputy on his right side and slightly to his rear firing his weapon. Deputy Hernandez said he heard Sergeant Johnson yell to stop firing and Hernandez stopped. Hernandez said he no longer could see Suspect Mosqueda moving in the vehicle and he did not hear any more gunshots. Deputy Hernandez said he dropped his magazine and reloaded with a fresh one.

Deputy Hernandez told Investigators that a few seconds later, he heard five to ten additional gunshots across the street from his location **(Refer to secondary deputy involved shooting, SH2114929)**. He said that he thought the gunshots may have been fired from a Beretta and shotgun and he thought that there may have been a second suspect in Mosqueda's vehicle who ran from the car and was now firing at the deputies, Hernandez heard on the radio that there was a possible sniper on the roof at the restaurant or liquor stop at the corner of Torrance Boulevard and Normandie Avenue. Hernandez said he heard the airship advise that there were people up on a roof but did not believe that Aero radioed anything about a sniper. Hernandez said he did not recognize the voice of the person who said, "possible sniper." Deputy Hernandez said he immediately took cover behind Deputy Berger's car and he went to the trunk of his radio car and retrieved the AR-15 rifle and a loaded 9mm magazine for Deputy Berger. Hernandez said he placed a round in the chamber of the rifle and took cover behind Deputy Berger's car watching the roof lines across from him for the possible sniper.

Deputy Hernandez said after he no longer could hear any gunshots, Deputy Hernandez said he believed Mosqueda was no longer a threat. Hernandez radioed to his partners that they needed to clear Mosqueda's vehicle. Hernandez, Rennie and Perea discussed how they were going to clear the suspect vehicle and they cleared it. Hernandez said after they cleared the vehicle they took cover behind Berger's vehicle until they heard Deputy Green radio that it was "code 4" at the restaurant because it was only roofers on the liquor store roof. Deputy Hernandez did not fire any rounds from his AR-15 rifle.

IAB Note: Deputy Hernandez indicated his positioning on a diagram provided to him by IAB Investigators. Refer to the diagram located in Exhibit E.

Deputy Hernandez said that his back drop during the shooting was clear to Torrance Boulevard and he did not see any vehicles crossing Torrance during the shooting. He saw deputies vehicles parked on the east side of Normandie out of his field of fire **(Refer to Exhibit D, Photographs).**

JOHNSON, Dale, Sergeant, [redacted]

Sergeant Johnson was interviewed by Homicide Bureau detectives on 03-31-2004 and by Internal Affairs Bureau Investigators Sergeant Larry Landreth and Sergeant David Stunson on August 30, 2005. Sergeant Johnson was represented by Ms. Helen Schwab, legal counsel for PPOA. The interview was recorded and the following is a synopsis:

IAB Note: For Homicide Bureau's summary of Sergeant Johnson's statement refer to Exhibit A, pages 154-158

Sergeant Johnson said on March 31, 2004, at approximately 0915 hours, he was assigned the assist as the supervisor regarding a man with a gun. He stated he received the call while he was at Carson Station.

Sergeant Johnson said he responded to where Deputy Green reported finding the suspect and observed the suspect vehicle drive slowly past him. The driver, Suspect Mosqueda, looked directly at Johnson and said the words, "don't do it fucker". Sergeant Johnson said he turned around and began to follow the suspect vehicle, along with Deputy Green. Green was trailing back behind the suspect vehicle awaiting a black and white to take over the surveillance mode.

Sergeant Johnson provided a similar account of the pursuit, and added that he ensured that an aero unit was en route and close to their location. Shortly after, Aero was overhead and calling the vehicle pursuit. He stated when the suspect vehicle reached Normandie Avenue, it made a right turn from Torrance Boulevard and began to travel northbound on Normndie Avenue. Sergeant Johnson said the suspect vehicle traveled approximately 150 yards north on Normandie Avenue, then made a U-turn, and began to travel southbound Normandie Avenue towards Torrance Boulevard. Sergeant Johnson said that he was about to order the units back into a surveillance mode and let the airship handle it when the suspect vehicle suddenly pulled to the west curb lane of Normandie Avenue and stopped.

Johnson was south and east of the suspect vehicle. He said Deputy Perea was just ahead of him, and Deputy Berger and Deputies Hernandez and Rennie were behind, off set from Berger, and north of the suspect vehicle. Sergeant Johnson he and Deputy Perea were facing northbound on Normandie Avenue, and Deputy Berger and Deputies Hernandez and Rennie were facing southbound on Normandie Avenue.

Sergeant Johnson said when he stopped south/east of the suspect, he observed Suspect Mosqueda

place a rifle out of the open driver side window of his Honda. He told Investigators the rifle was consistent with some Russian manufactured semi-automatic assault rifles. Sergeant Johnson said Suspect Mosqueda was still seated behind the steering wheel when he placed the rifle out of the window. He stated at this point, he (Johnson) believed that Suspect Mosqueda was going to exit his vehicle. Sergeant Johnson said he then observed Suspect Mosqueda lower the rifle. Johnson said as soon as Suspect Mosqueda lower the rifle at him and Deputy Perea, he (Johnson) heard gunshots. Sergeant Johnson stated he did not know if the Suspect was shooting, or if the gunshots came from deputies.

Johnson stated Deputy Perea began to fire rounds from inside of his car, very quickly, at the suspect. Sergeant Johnson said he heard additional gunshots at that time. He said he then fired two rounds from his .45 caliber handgun at Suspect Mosqueda as Suspect Mosqueda was "bobbing and weaving" his head and looking at his rear-view mirror. Sergeant Johnson said he hear gunfire from behind him and almost simultaneously, Deputy Perea's radio car made an U-turn and began to travel southbound on Normandie Avenue. He stated Deputy Perea was not in his patrol vehicle when it was making the U-turn.

Sergeant Johnson said after Deputy Perea's patrol vehicle made the U-turn, Deputy Perea ran back to his (Johnson's) patrol vehicle, and positioned himself at the right front quarter panel. Johnson said Deputy Perea was still shooting at Suspect Mosqueda. Johnson observed Suspect Mosqueda still moving in the front driver's side of his Honda and Sergeant Johnson fired two more rounds at the suspect. Johnson said at this point, he heard additional gunfire emanating from south of his position **(Referring to the second deputy involved shooting occurring nearby, SH2114929)**. He said this location is claimed by the Tortilla- Flats street gang and he remembered an incident in Century Station's area where deputies were shot at by a secondary Tortilla Flats gang member after a traffic stop. He said he believed the gunfire coming from the south was additional suspects firing at them and he and his subordinates were in an "ambush" situation.

Sergeant Johnson said after his last two shots, he believed the Suspect had been struck by gunfire, and he yelled to stop firing. Sergeant Johnson stated he continued to hear gunfire to his south. He said he retrieved an AR- 15 from the trunk of his radio car, and ran across Normandie Avenue, took a position of cover and watched the roof line of the liquor store. Johnson said Sergeant Francisco yelled at him to get out of there because there was a sniper or ambush on the roof.

Sergeant Johnson ran back to his car and found Deputy Perea seated behind the steering wheel. Johnson stated that Deputy Perea told him they needed to immediately leave the area. He said Sergeant Johnson said he entered the front passenger side seat, with gun in hand, and Deputy Perea drove northbound on Normandie Avenue toward the other vehicles. Sergeant Johnson said he fell out of the radio car because he was not holding on and Deputy Perea stopped. Johnson got back inside and they drove to and stopped behind Deputy Hernandez and Rennie's patrol vehicle.

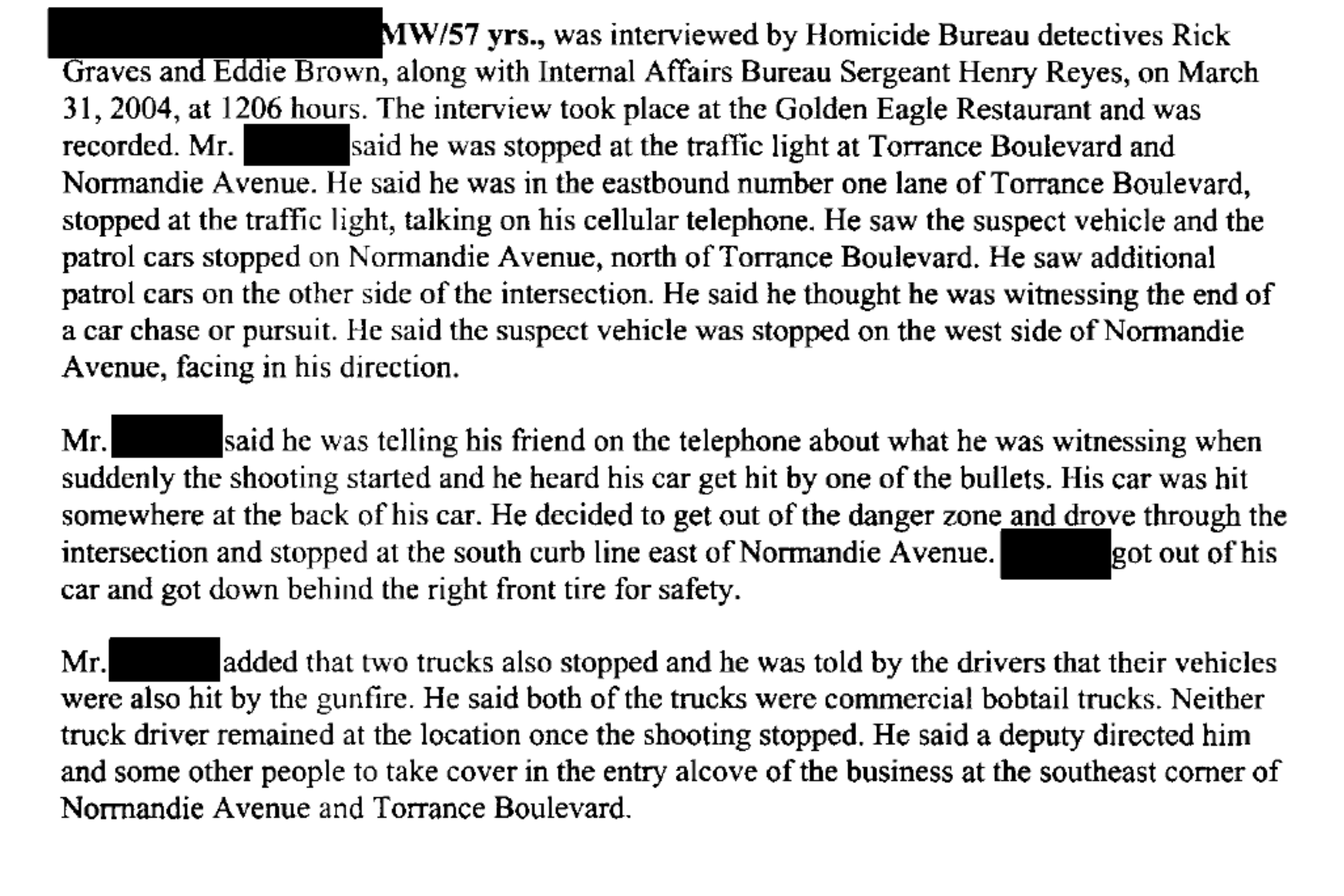
IAB Note: Sergeant Johnson indicated his positioning on a diagram provided to him by IAB Investigators. Refer to the diagram located in the Miscellaneous Documents section of the case.

Sergeant Johnson said that he covered the roof lines across the street, from, his vehicle. Deputy Rennie and another deputy cleared the suspect vehicle and extracted Suspect Mosqueda from his vehicle. Sergeant Johnson said prior to removing Suspect Mosqueda from his vehicle, fire paramedics had already been summoned. He stated that Deputy Greene then advised the ground personnel that the males on the roof were workers only, and not snipers. Sergeant Johnson said paramedics arrived at the location, and pronounced Suspect Mosqueda dead from gunshots.

Sergeant Johnson stated that Aero Bureau said there was someone on a roof. Sergeant Johnson said he also heard radio traffic from a ground unit that indicted there was someone on a roof.

SUSPECT STATEMENTS:
No suspect statement, suspect was deceased.

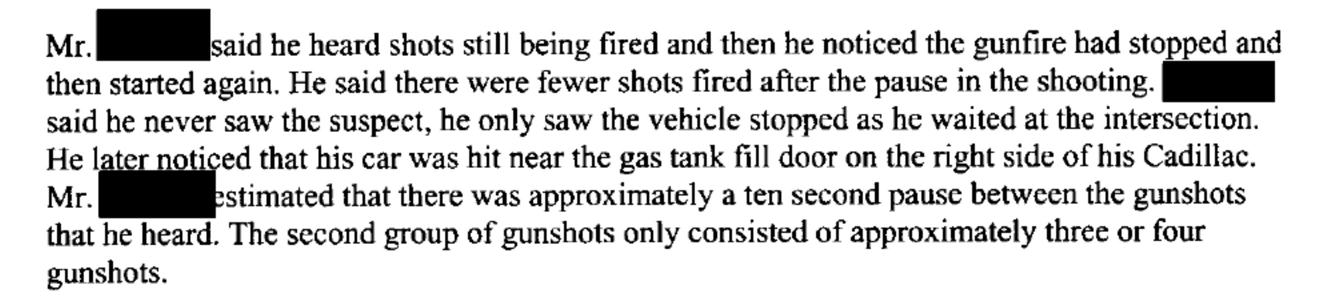
NON-DEPARTMENT WITNESS STATEMENTS:



[redacted] **MW/57 yrs.**, was interviewed by Homicide Bureau detectives Rick Graves and Eddie Brown, along with Internal Affairs Bureau Sergeant Henry Reyes, on March 31, 2004, at 1206 hours. The interview took place at the Golden Eagle Restaurant and was recorded. Mr. [redacted] said he was stopped at the traffic light at Torrance Boulevard and Normandie Avenue. He said he was in the eastbound number one lane of Torrance Boulevard, stopped at the traffic light, talking on his cellular telephone. He saw the suspect vehicle and the patrol cars stopped on Normandie Avenue, north of Torrance Boulevard. He saw additional patrol cars on the other side of the intersection. He said he thought he was witnessing the end of a car chase or pursuit. He said the suspect vehicle was stopped on the west side of Normandie Avenue, facing in his direction.

Mr. [redacted] said he was telling his friend on the telephone about what he was witnessing when suddenly the shooting started and he heard his car get hit by one of the bullets. His car was hit somewhere at the back of his car. He decided to get out of the danger zone and drove through the intersection and stopped at the south curb line east of Normandie Avenue. [redacted] got out of his car and got down behind the right front tire for safety.

Mr. [redacted] added that two trucks also stopped and he was told by the drivers that their vehicles were also hit by the gunfire. He said both of the trucks were commercial bobtail trucks. Neither truck driver remained at the location once the shooting stopped. He said a deputy directed him and some other people to take cover in the entry alcove of the business at the southeast corner of Normandie Avenue and Torrance Boulevard.



Mr. [redacted] said he heard shots still being fired and then he noticed the gunfire had stopped and then started again. He said there were fewer shots fired after the pause in the shooting. [redacted] said he never saw the suspect, he only saw the vehicle stopped as he waited at the intersection. He later noticed that his car was hit near the gas tank fill door on the right side of his Cadillac. Mr. [redacted] estimated that there was approximately a ten second pause between the gunshots that he heard. The second group of gunshots only consisted of approximately three or four gunshots.

[redacted] **FA/40 yrs.,** was interviewed by Carson Station Detective Wedel, [redacted] on March 31, 2004, at Torrance Boulevard and Normandie Avenue. Detective Wedel prepared a supplemental report documenting the interview and damage to Ms. [redacted] vehicle, 2001 Toyota Sienna van, CA License [redacted] Ms. [redacted] told detectives that on March 31, 2004, at about 0930 hours, she was driving southbound on Normandie Avenue, in the #1 lane, when she saw sheriff deputies chasing a car westbound on Torrance Boulevard. She saw the male driver, who appeared to be laughing. In her rearview mirror, she saw the suspect vehicle make a U-turn, stop, and the driver's open. The suspect then started to shoot at deputies. She heard gunfire and became frightened so she laid down across her front seats to avoid being struck by gunfire. While laying down she heard her rear window shatter from gunfire. After the gunfire stopped, she was directed by a deputy to move her car and she parked her van on the northwest corner of Torrance and Normandie.

[redacted] **FW/42**, was interviewed by Homicide Bureau detectives and Internal Affairs Bureau investigator, Sergeant Henry Reyes, was present. Ms. [redacted] said she was inside the business, [redacted] Normandie Avenue, doing business as [redacted] with her boss, when she heard what sounded like firecrackers. She and her boss went outside when the gunfire stopped and she saw the deputies on Normandie Avenue, south of the business. She saw the deputies with their guns drawn, but she did not see the suspect.

DEPARTMENT WITNESS STATEMENTS:

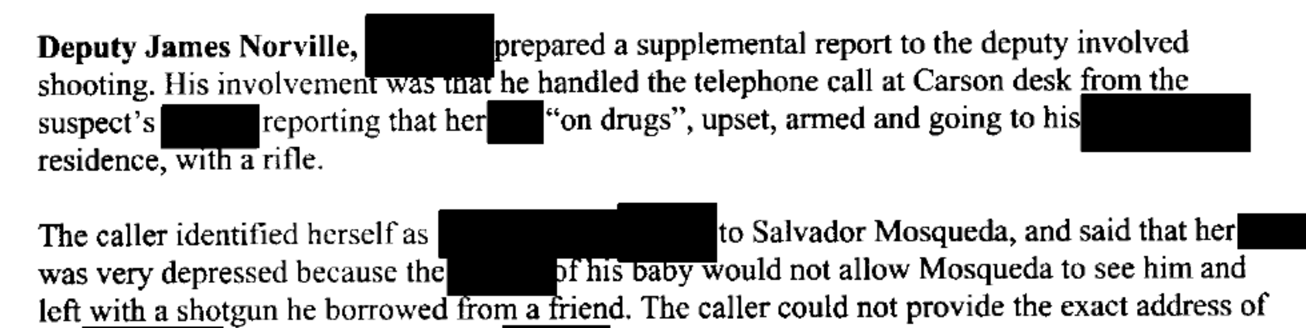
Deputy Jeffrey Greene, [redacted] was interviewed by Homicide Investigators Rick Graves and Eddie Brown, along with Internal Affairs Bureau Sergeants Larry Landreth and Henry Reyes, on March 31, 2004, at 1449 hours. The interview took place at Carson Station and was recorded. Deputy Greene told the investigators the following:

On March 31, 2004, at about 0920 hours, Deputy Greene monitored a call concerning a man en route to his [redacted] house with a shotgun. Deputy Greene responded toward the reported location from the area of Main Street and Del Amo Boulevard.

Deputy Greene stated he drove east on 213th Street from Main Street, near Carson Park, and when got to the area of the park he was given the additional information that the suspect vehicle was a brown Honda Civic. While he was east on 213th Street, he observed the suspect vehicle westbound toward him on 213th Street. Deputy Greene drove past the suspect in his vehicle and

observed the suspect look in his direction. Deputy Greene said the suspect nodded and smiled at him as he drove past him. Deputy Greene added that the suspect looked startled, his eyes were very wide. He made a U-turn approximately one hundred yards past the suspect and started back west on 213th Street. He said he did this slowly and at the distance, because he did not want to scare him before his backup units arrived at his location. He followed the suspect vehicle as it turned north on Bolsa Avenue from 213th Street. Approximately thirty seconds later assisting units arrived and took over following the suspect. Deputy Greene told Detectives that the assisting units attempted to make a felony traffic stop on the suspect but he fled, reaching speeds of approximately twenty-five miles per hour.

Deputy Greene said by the time he arrived at the intersection of Normandie Avenue and Torrance Boulevard, the suspect and the pursuing units were on Normandie Avenue north of Torrance Boulevard out of his sight. He said he stopped east of the intersection when he heard the Aero Unit announce "998." He said his view was blocked by the restaurant at the northeast corner of the intersection. Therefore he only heard the gunfire coming from Normandie Avenue.


Deputy James Norville, [redacted] prepared a supplemental report to the deputy involved shooting. His involvement was that he handled the telephone call at Carson desk from the suspect's [redacted] reporting that her [redacted] "on drugs", upset, armed and going to his [redacted] residence, with a rifle.

The caller identified herself as [redacted] to Salvador Mosqueda, and said that her [redacted] was very depressed because the [redacted] of his baby would not allow Mosqueda to see him and left with a shotgun he borrowed from a friend. The caller could not provide the exact address of the [redacted] only that she lived on [redacted] between 213th and Carson Streets.

Deputy Patrick Morris, [redacted] was interviewed by Homicide Investigators Jim Gates and Stephen Weireter on May 4, 2004, at 1020 hours. The interview took place at Sheriff's Aero Bureau headquarters and was recorded.

> **IAB Note: Deputy Morris' interview with Homicide investigators was transcribed and a copy of the interview is included in the case.**

Deputy Morris told the investigators the following:

On March 31, 2004, at about 0930 hours, he was assigned to Aero Bureau and was the assigned observer in the helicopter. Aero Deputy Morris said the pilot that day was Deputy Mike Luther. He said he was monitoring Sheriff's radio frequencies and heard a man with a gun, insane person call go out from Carson Station. Deputy Morris stated as they flew towards the location of the call, he heard that a Sheriff's ground unit had located the suspect and a pursuit was initiated by ground units westbound on Torrance Boulevard at the 110 freeway.

Deputy Morris said he and Deputy Luther continued to respond, arrived overheard and observed

Sheriffs vehicles pursuing the suspect vehicle. He stated that he began to call the pursuit westbound on Torrance Boulevard, east of Normandie Avenue. Deputy Morris observed the suspect vehicle make a northbound turn onto Normandie Avenue from Torrance Boulevard. He said the suspect vehicle then made a U-turn on Normandie Avenue, and pulled to the west curb lane of Normandie Avenue, facing south.

Deputy Morris said he observed the rear windshield of the suspect vehicle shatter. He observed Deputy Sheriff's with their handguns pointed towards the suspect vehicle. Deputy Morris stated he realized that Deputies were involved in a shooting, and he transmitted his observations via Sheriff's radio. He said after the shooting began, he observed the suspect moving around inside his vehicle. Deputy Morris said he then observed the Deputies continue to fire their handguns at the Suspect.

Deputy Morris said during the shooting, he heard someone state, via Sheriff's radio that there was a sniper on the roof.

IAB Note: Refer to SH2114929 for details of a secondary deputy involved shooting.

Deputy Morris said he continued to observe the two males on the liquor store roof. He stated they both continued to lie on the roof of the liquor store. Deputy Morris said he then observed a Sheriff vehicle (roof-top #730) made an U-turn in front of the suspect vehicle. He stated the Sheriff's vehicle continued southbound on Normandie Avenue and collided with a telephone pole on the west side of Normandie Avenue. Deputy Morris said he inquired via Sheriff's radio regarding the Sheriff's vehicle that hit the telephone pole. He told Investigators the Deputy who belonged to that vehicle advised them he had bailed out of the Sheriff's car, and was alright. He stated approximately five minutes later fire paramedics arrived at the location.

IAB Note: Refer to a copy of Deputy Morris' transcribed interview included in this investigation.

Deputy Michael Luther, [redacted] was interviewed by Homicide Investigators Jim Gates and Stephen Weireter on May 4, 2004, at 1100 hours. The interview took place at Sheriff's Aero Bureau headquarters and was recorded.

IAB Note: Deputy Luther's interview with Homicide investigators was transcribed and a copy of the interview is included in the case.

Deputy Luther told the investigators the following:

On March 31, 2004, at about 0930 hours, he was assigned to Aero Bureau and was the assigned as the pilot in the helicopter and his observer was Deputy Patrick Morris. He stated he and Deputy Morris received information that a suspect was driving his vehicle to a location where he

was going to kill someone or take his own life. Deputy Luther said he was in the Compton area, and was close to the location of the vehicle pursuit. He stated within about ten seconds of the initiation of the pursuit, he was overhead.

Deputy Luther said he slowed down his aircraft, and Deputy Morris began to broadcast the pursuit as the suspect vehicle turned northbound on Normandie Avenue from westbound Torrance Boulevard. Deputy Luther stated right after the suspect vehicle turned northbound on Normandie, it made an U-turn, and began to travel southbound on Normandie Avenue towards Torrance Boulevard. He said the suspect vehicle then pulled to the west side curb lane of Normandie Avenue. Deputy Luther stated the suspect vehicle was facing southbound.

Deputy Luther said after the suspect vehicle came to a stop, his partner, Deputy Morris advised him there was a Deputy Involved Shooting. He told Investigators that he had to fly the helicopter, therefore, he cannot make the same discerning observations as his observer. Deputy Luther said he did observe one Sheriff's radio car travel southbound on Torrance Boulevard, and collide with a telephone pole, south of where the suspect vehicle had stopped.

Deputy Luther said at some point, a ground unit brought their attention to a liquor store roof top. He stated he looked down on top of the liquor store and observed two males lying down in a prone positions in the south/west corner of the roof.

IAB Note: Refer to a copy of Deputy Luther's transcribed interview included in this review.

CRIMINAL CHARGES FILED:
No charges were filed against Suspect Mosqueda.

PROPERTY DAMAGE: Damage to several locations was located. The damage was from bullet strikes and the damage occurred at:

1. Vehicle, 2001 Toyota Sienna van, CA Licens[redacted] belonging to [redacted] Bullet shattered entire rear window, Bullet found lodged in the window frame and recovered. Ms. [redacted] was inside her vehicle facing southbound on Normandie at Torrance Boulevard when her van was struck by gunfire.

2. Vehicle, [redacted] icense, 2000 Cadillac El Do[redacted] registered to: [redacted] Bullet strike to driver's side rear quarter panel. Mr. [redacted] was in his vehicle driving eastbound on Torrance at Normandie Avenue when his car was struck by gunfire.

3. Pane glass window, [redacted] Bullet hole in second story pane glass window on north side of building.